



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

09/867,541

05/31/2001

Toshihiro Ogawa

209236US0

6768

22850

7590

07/24/2003

OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.
1940 DUKE STREET
ALEXANDRIA, VA 22314

EXAMINER

RAJGURU, UMAKANT K

ART UNIT

PAPER NUMBER

1711

DATE MAILED: 07/24/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

Applicant(s)

Examiner

Group Art Unit

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- ☒ Responsive to communication(s) filed on Apr 09, 2003 (paper 10)
- ☐ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- ☒ Claim(s) 11-32 is/are pending in the application.
- ☐ Of the above claim(s) 14-16 is/are withdrawn from consideration.
- ☐ Claim(s) _____ is/are allowed.
- ☒ Claim(s) 11, 17 & 24 is/are rejected.
- ☒ Claim(s) 12, 13, 18-23 and 25-32 is/are objected to.
- ☐ Claim(s) _____ are subject to restriction or election requirement

Application Papers

- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119 (a)-(d).
- ☐ All ☐ Some* ☐ None of the:
- ☐ Certified copies of the priority documents have been received.
- ☐ Certified copies of the priority documents have been received in Application No. _____
- ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a))

*Certified copies not received: _____

Attachment(s)

- ☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____ ☐ Interview Summary, PTO-413
- ☐ Notice of Reference(s) Cited, PTO-892 ☐ Notice of Informal Patent Application, PTO-152
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948 ☐ Other _____

Office Action Summary

Art Unit: 1711

1. An amendment (paper 10) has been filed on April 09, 2003.
2. Claims under examination are 11-13 and 17-32.
3. Rejection of claim 12 under 35 USC 112, second paragraph (see item 4, paper 4) is still maintained. That of claim 19 (see item 5, paper 6) is now withdrawn.
4. All rejections of (cancelled) claims 1-10 in previous actions (papers 4 and 6) are now moot. Those of claim 17-19 are now withdrawn.
5. Allowance of claims 11-13 (item 9, paper 4; item 10, paper 6) is now withdrawn.
6. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
7. Claims 11 and 17 are rejected under 35 U.S.C. 102(b) as being anticipated by Moore, W (USP 6080221).

Moore discloses coated particles. The particles are water-soluble fertilizer particles (col. 12, lines 24-30). A water-insoluble fluid resin is applied to the surface of particles and the resin is cured (col. 3, lines 58-62).

Claims 11 and 17 therefore lack novelty.

8. Claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over Moore W (USP 6080221) in view of Class (USP 6245861).

Disclosure of Moore is presented earlier.

Moore does not mention the peroxide curing agent of above claim 24.

Class discloses the use of peroxides as a crosslinking agent.

It would have been obvious to use the peroxides (of Class) as suitable

NR crosslinking agents in the method of Moore to enhance ~~the~~ mechanical properties.

Art Unit: 1711

9. Claims 12, 13, 18-23 and 25-32 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to U. K. Rajguru whose telephone number is 703-308-3224. The examiner can normally be reached on Monday-Friday from 9:30 am to 6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James J. Seidleck can be reached on 703-308-2462. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9310 for regular communications and 703-872-9311 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0661.



U. K. Rajguru/mn
July 22, 2003



James J. Seidleck
Supervisory Patent Examiner
Technology Center 1700